

S. D. Little
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Patent

Attorney's Docket No. 000951-089



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#12/Reg Room
N.E.
w/Decl.

In re Patent Application of)

Joseph B. PHIPPS)

) Group Art Unit: 3306

Application No.: 08/463,904)

) Examiner: M. Bockelman

Filed: June 5, 1995)

For: METHOD AND DEVICE FOR)
TRANSDERMAL ELECTROTRANS-)
PORT DELIVERY OF FENTANYL)
AND SUFENTANIL)

RECEIVED

JUN 12 1997

GROUP 3300

SUBMISSION OF DECLARATION UNDER 37 C.F.R. §1.132 AND
REQUEST FOR RECONSIDERATION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Official Action dated March 10, 1997, applicant respectfully requests reconsideration in view of the attached Declaration Under 37 C.F.R. §1.132 and the remarks which follow.

REMARKS

In the Official Action, the Examiner has asserted that two combinations of prior art render the presently claimed invention unpatentable. In taking this position, the Examiner has indicated that there is no evidence that the prior art would not teach the claimed invention.

Although it is believed that rebuttal evidence is not necessary in light of the fact that the prior art does not teach the present invention, provided herewith is a Declaration Under 37 C.F.R. §1.132 by the inventor which explains the background of the invention

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